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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/06/2024	.	
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The Committee on Agriculture (Calatayud) recommended the following:

Senate Amendment

Delete lines 49 - 193

and insert:

Protection Area as defined in s. 373.4592(2) must follow the state coordinated review process as provided in subsection (4).

(3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS.—

(a) The process for amending a comprehensive plan described in this subsection applies ~~shall apply~~ to all amendments except



836126

11 as provided in paragraphs (2) (b), ~~and (c)~~, and (d) and is shall
12 ~~be~~ applicable statewide.

13 (4) STATE COORDINATED REVIEW PROCESS.—

14 (a) *Coordination.*—The state land planning agency shall only
15 use the state coordinated review process described in this
16 subsection for review of comprehensive plans and plan amendments
17 described in paragraphs (2) (c) and (d) ~~paragraph (2) (e)~~. Each
18 comprehensive plan or plan amendment proposed to be adopted
19 pursuant to this subsection must ~~shall~~ be transmitted, adopted,
20 and reviewed in the manner prescribed in this subsection. The
21 state land planning agency shall have responsibility for plan
22 review, coordination, and the preparation and transmission of
23 comments, pursuant to this subsection, to the local governing
24 body responsible for the comprehensive plan or plan amendment.

25 (b) *Local government transmittal of proposed plan or*
26 *amendment.*—Each local governing body proposing a plan or plan
27 amendment specified in paragraph (2) (c) or paragraph (2) (d)
28 shall transmit the complete proposed comprehensive plan or plan
29 amendment to the reviewing agencies within 10 working days after
30 the first public hearing pursuant to subsection (11). The
31 transmitted document must ~~shall~~ clearly indicate on the cover
32 sheet that this plan amendment is subject to the state
33 coordinated review process of this subsection. The local
34 governing body shall also transmit a copy of the complete
35 proposed comprehensive plan or plan amendment to any other unit
36 of local government or government agency in the state that has
37 filed a written request with the governing body for the plan or
38 plan amendment.

39 (c) *Reviewing agency comments.*—The agencies specified in



836126

40 paragraph (b) may provide comments regarding the plan or plan
41 amendments in accordance with subparagraphs (3)(b)2.-4. However,
42 comments on plans or plan amendments required to be reviewed
43 under the state coordinated review process must ~~shall~~ be sent to
44 the state land planning agency within 30 days after receipt by
45 the state land planning agency of the complete proposed plan or
46 plan amendment from the local government. If the state land
47 planning agency comments on a plan or plan amendment adopted
48 under the state coordinated review process, it must ~~shall~~
49 provide comments according to paragraph (e) ~~(d)~~. Any other unit
50 of local government or government agency specified in paragraph
51 (b) may provide comments to the state land planning agency in
52 accordance with subparagraphs (3)(b)2.-4. within 30 days after
53 receipt by the state land planning agency of the complete
54 proposed plan or plan amendment. Written comments submitted by
55 the public must ~~shall~~ be sent directly to the local government.

56 (d) Everglades Protection Area determinations.—A proposed
57 plan or plan amendment by a county as defined in s. 125.011(1)
58 or any municipality located therein which applies to any land
59 within, or within 2 miles of, the Everglades Protection Area as
60 defined in s. 373.4592(2) must be reviewed pursuant to this
61 paragraph by the Department of Environmental Protection. The
62 department shall determine whether the proposed plan or plan
63 amendment, or any portion thereof, adversely impacts the
64 Everglades Protection Area or the Everglades restoration and
65 protection objectives identified in s. 373.4592. The department
66 shall issue a written determination to the state land planning
67 agency and the local government within 30 days after receipt of
68 the proposed plan or plan amendment. The determination must



836126

69 identify any adverse impacts and may be provided as part of the
70 agency's comments pursuant to paragraph (c). Before the adoption
71 of the proposed plan or plan amendment, the department shall
72 work in coordination with the state land planning agency and the
73 local government to identify any planning strategies or measures
74 that the local government could include in the proposed plan or
75 plan amendment to eliminate or mitigate any adverse impacts to
76 the Everglades Protection Area or the Everglades restoration and
77 protection objectives identified in s. 373.4592. If the
78 department determines that any portion of the proposed plan or
79 plan amendment will adversely impact the Everglades Protection
80 Area or the Everglades restoration and protection objectives
81 identified in s. 373.4592, the local government must modify that
82 portion of the proposed plan or plan amendment to include
83 planning strategies or measures to eliminate or mitigate such
84 adverse impacts before adopting the proposed plan or plan
85 amendment or that portion of the proposed plan or plan amendment
86 may not be adopted.

87 (e) State land planning agency review.-

88 1. If the state land planning agency elects to review a
89 plan or plan amendment specified in paragraph (2)(c), the agency
90 shall issue a report giving its objections, recommendations, and
91 comments regarding the proposed plan or plan amendment within 60
92 days after receipt of the proposed plan or plan amendment.

93 Notwithstanding the limitation on comments in sub-subparagraph
94 (3)(b)4.g., the state land planning agency may make objections,
95 recommendations, and comments in its report regarding whether
96 the plan or plan amendment is in compliance and whether the plan
97 or plan amendment will adversely impact important state



836126

98 resources and facilities. Any objection regarding an important
99 state resource or facility that will be adversely impacted by
100 the adopted plan or plan amendment shall also state with
101 specificity how the plan or plan amendment will adversely impact
102 the important state resource or facility and shall identify
103 measures the local government may take to eliminate, reduce, or
104 mitigate the adverse impacts. When a federal, state, or regional
105 agency has implemented a permitting program, a local government
106 is not required to duplicate or exceed that permitting program
107 in its comprehensive plan or to implement such a permitting
108 program in its land development regulations. This subparagraph
109 does not prohibit the state land planning agency in conducting
110 its review of local plans or plan amendments from making
111 objections, recommendations, and comments regarding densities
112 and intensities consistent with this part. In preparing its
113 comments, the state land planning agency shall only base its
114 considerations on written, and not oral, comments.

115 2. The state land planning agency review shall identify all
116 written communications with the agency regarding the proposed
117 plan amendment. The written identification must include a list
118 of all documents received or generated by the agency, which list
119 must be of sufficient specificity to enable the documents to be
120 identified and copies requested, if desired, and the name of the
121 person to be contacted to request copies of any identified
122 document.

123 ~~(f)(e)~~ *Local government review of comments; adoption of*
124 *plan or amendments and transmittal.*—

125 1. The local government shall review the report submitted
126 to it by the state land planning agency, if any, and written



836126

127 | comments submitted to it by any other person, agency, or
128 | government. The local government, upon receipt of the report
129 | from the state land planning agency, shall hold a ~~its~~ second
130 | public hearing, ~~which shall be a hearing~~ to determine whether to
131 | adopt the comprehensive plan or one or more comprehensive plan
132 | amendments pursuant to subsection (11). If the local government
133 | fails to hold the second hearing within 180 days after receipt
134 | of the state land planning agency's report, the amendments are
135 | ~~shall be~~ deemed withdrawn unless extended by agreement with
136 | notice to the state land planning agency and any affected person
137 | who ~~that~~ provided comments on the amendment. The 180-day
138 | limitation does not apply to amendments processed pursuant to s.
139 | 380.06.

140 | 2. All comprehensive plan amendments adopted by the
141 | governing body, along with the supporting data and analysis,
142 | must ~~shall~~ be transmitted within 10 working days after the
143 | second public hearing to the state land planning agency and any
144 | other agency or local government that provided timely comments
145 | under paragraph (c). Comprehensive plan amendments by a county
146 | as defined in s. 125.011(1) or any municipality located therein
147 | which apply to land within, or within 2 miles of, the Everglades
148 | Protection Area as defined in s. 373.4592(2) must also be